

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS

Joshua and Sarah Hoffee

(b) County of Residence of First Listed Plaintiff

(EXCEPT IN U.S. PLAINTIFF CASES)

Cumberland

(c) Attorneys (Firm Name, Address, and Telephone Number)

Charles W. Marsor, Jr., Esq. / 22 Marzella
3513 N. Front St., Harrisburg, PA 17110**DEFENDANTS**J.W. Logistics Operations, LLC
H/d/b/a J.W. Logistics, LLC
County of Residence of First Listed Defendant Collin

(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

unknown at time of filing

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff
- ☐ 2 U.S. Government Defendant
- ☐ 3 Federal Question (U.S. Government Not a Party)
- ☒ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- Citizen of This State ☒ 1 ☐ 1 Incorporated or Principal Place of Business In This State ☐ 4 ☐ 4
- Citizen of Another State ☐ 2 ☐ 2 Incorporated and Principal Place of Business In Another State ☐ 5 ☒ 5
- Citizen or Subject of a Foreign Country ☐ 3 ☐ 3 Foreign Nation ☐ 6 ☐ 6

IV. NATURE OF SUIT (Place an "X" in One Box Only)

Click here for: Nature of Suit Code Descriptions.

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES	
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input checked="" type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice	PERSONAL INJURY <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 835 Patent - Abbreviated New Drug Application <input type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 376 Qui Tam (31 USC 3729(a)) <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes
REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	CIVIL RIGHTS <input type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education	PRISONER PETITIONS Habeas Corpus: <input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty Other: <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement			

V. ORIGIN (Place an "X" in One Box Only)

- ☒ 1 Original Proceeding ☐ 2 Removed from State Court ☐ 3 Remanded from Appellate Court ☐ 4 Reinstated or Reopened ☐ 5 Transferred from Another District (specify) ☐ 6 Multidistrict Litigation - Transfer ☐ 8 Multidistrict Litigation - Direct File

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):

28 U.S.C. 1332

Brief description of cause:

Motor vehicle accident on 8/7/17

VII. REQUESTED IN COMPLAINT:
☐ CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.

DEMAND \$

1,000,000.00

CHECK YES only if demanded in complaint:

JURY DEMAND:

☒ Yes ☐ No**VIII. RELATED CASE(S) IF ANY**

(See instructions):

JUDGE

Rambo

DOCKET NUMBER

1:18-cv-1908

DATE

4/16/19

SIGNATURE OF ATTORNEY OF RECORD

[Signature]

FOR OFFICE USE ONLY

RECEIPT #

AMOUNT

APPLYING IFP

JUDGE

MAG. JUDGE

JURISDICTION

1. Plaintiffs, Mr. & Mrs. Hoffee, bring their Complaint under Federal Diversity Jurisdiction, 28 U.S.C. 1332, as the parties are completely diverse in citizenship and the amount in controversy exceeds \$75,000.00.

THE PARTIES

1. Mr. & Mrs. Hoffee are competent adult individuals who at all relevant times were residing at 14 Partridge Trail, Shippensburg, PA 17257.
2. Upon information and belief, Guillermo Cruz is a competent adult individual with a last known address of 19 Humming Bird Court Baltimore, MD 21227-3535.
3. Upon information and belief, AAC Transportation, LLC is a Maryland Limited Liability Corporation, with a principle office at 119 Cherry Lane Glen Burnie, MD 21060-6370.
4. Upon information and belief, AAC Transportation, LLC is: a Maryland Limited Liability Company; in the transportation industry; and doing business in the Commonwealth of Pennsylvania.
5. Upon information and belief, Pedro Carcano is the owner/resident agent of AAC Transportation LLC with a last known address of 119 Cherry Lane Glen Burnie, MD 21060-6370.
6. Upon information and belief, Amazon.com t/d/b/a Amazon is a business incorporated in the state of Delaware and doing business in the Commonwealth of Pennsylvania.

7. Upon information and belief, Defendant J.W. Logistics is a Texas Limited Liability Corporation, with a principle office at 3801 Parkwood Blvd., Suite 500, Frisco, TX 75034.
8. At all times material hereto, Guillermo Cruz was an agent, ostensible agent, servant, and/or employee of AAC Transportation, LLC, and was acting within the scope of said employment.
9. At all times material hereto, Guillermo Cruz was an agent, ostensible agent, servant, and/or employee of Amazon.com, Inc t/d/b/a Amazon, and was acting within the scope of said employment.
10. At all times material hereto, Guillermo Cruz was an agent, ostensible agent, servant, and/or employee of Pedro Carcano, and was acting within the scope of said employment.
11. At all times material hereto, Guillermo Cruz was an agent, ostensible agent, servant, and/or employee of Defendant J.W. Logistics, and was acting within the scope of said employment.

FACTS

1. At all times material hereto, Mr. Hoffee was the operator and owner of a 2003 Dodge Durango, with the VIN number 1D4HS38N13F553730 (“**Mr. Hoffee’s Vehicle**”), Pennsylvania license plate number: FBH0738.
2. At all times material hereto, Guillermo Cruz was the operator of a large 2000 International Harvester Box Truck, with the VIN number 1HTSCABM2YH294572, owned by Pedro Carcano and/or AAC Transportation, LLC, Maryland license plate number: 2CS8374.

3. At all times material hereto, Mr. Hoffee was covered under an automobile insurance policy issued by Travelers.

4. At all times material hereto, Guillermo Cruz was not insured and failed to provide proof of insurance.

5. Mr. Hoffee is Full Tort, as Guillermo Cruz – the at fault driver – was driving a vehicle registered in a state other than Pennsylvania (Maryland). 75 Pa. Cons. Stat. § 1705(d)(1)(ii).

6. On or about August 7, 2017, at 8:30am, Joshua Hoffee, a Pennsylvania State Trooper, was driving south on SR696/Olde Scotland Road, Franklin County, Pennsylvania.

7. At approximately the same time and place, Guillermo Cruz was traveling north on SR696/Olde Scotland Road, Franklin County, Pennsylvania, approaching Mr. Hoffee.

8. Of note, it was raining on August 7, 2017, and the roads were wet.

9. Guillermo Cruz was following a vehicle too closely, and when the vehicle slowed to make a right turn, Guillermo Cruz was unable to safely slow/stop.

10. As a result, suddenly and without warning Guillermo Cruz negligently crossed into Mr. Hoffee's lane of travel, resulting in a violent head-on motor vehicle collision that caused Mr. Hoffee severe damage/injury.

11. At the time of the collision, Guillermo Cruz truck was carrying a load of packages for Amazon and/or Defendant J.W. Logistics and acting as an "Amazon Delivery Provider."

12. Therefore, at the time of the collision, Guillermo Cruz, Pedro Carcano, Defendant J.W. Logistics, and AAC Transportation, LLC were acting as agents, apparent agents, ostensible agents, employees, and/or contractors of Amazon.

13. The police arrived at the collision at 8:41am and reported that Guillermo Cruz was at fault for the collision, receiving twenty-two (22) separate citations. (see the Police Report attached hereto as “**Exhibit A**”).

14. At all relevant times, Mr. Hoffee’s vehicle was operated in a reasonable and prudent manner with due caution and regard for the motor vehicle laws of the Commonwealth of Pennsylvania.

15. Guillermo Cruz failed to maintain control of his truck and crossed over the center line into Mr. Hoffee’s lane, striking the front of Mr. Hoffee’s vehicle.

16. As a direct and proximate result of the negligence, gross negligence, carelessness, and recklessness of the Defendant, Mr. Hoffee sustained injuries, including but not limited to: right forearm radial shaft fracture (requiring surgery, joint reconstruction, and insertion of two metal plates); knee pain; wrist pain, forearm pain; wrist instability, and trauma, and a claim is made therefore.

17. As a direct and proximate result of the negligence, gross negligence, carelessness, and recklessness of the Defendant, Mr. Hoffee has undergone continuing medical care for the aforesaid injuries, and a claim is made therefore.

18. As a direct and proximate result of the negligence, gross negligence, carelessness, and recklessness of the Defendant, Mr. Hoffee has suffered permanent and severe scarring, and a claim is made therefore.

19. As a direct and proximate result of the negligence, gross negligence, carelessness, and recklessness of the Defendant, Mr. Hoffee has suffered permanent impairment, and a claim is made therefore.

20. As a direct and proximate result of the negligence, gross negligence, carelessness, and recklessness of the Defendants, Mr. Hoffee suffered physical pain, discomfort, and mental anguish, and he will continue to endure the same for an indefinite period of time in the future, to his physical, emotional, and financial detriment and loss, and a claim is made therefore.

21. As a direct and proximate result of the negligence, gross negligence, carelessness, and recklessness of the Defendant, Mr. Hoffee has been compelled, in order to effect a cure for the aforesaid injuries, to spend money for medicine and/or medical attention and will be required to spend money for the same purposes in the future, to his detriment and loss, and a claim is made therefore.

22. As a direct and proximate result of the negligence, gross negligence, carelessness, and recklessness of the Defendant, Mr. & Mrs. Hoffee suffered a loss of income and/or earning capacity and will continue to endure the same for an indefinite period of time in the future, to his physical, emotional, and financial detriment and loss, and a claim is made therefore.

23. As a direct and proximate result of the negligence, gross negligence, carelessness, and recklessness of the Defendant, Mr. Hoffee suffered a loss of life's pleasures, and he will continue to suffer the same in the future, to his detriment and loss, and a claim is made therefore.

24. As a direct and proximate result of the negligence, gross negligence, carelessness, and recklessness of the Defendants, Mr. Hoffee has been, and will in the future be, hindered from attending to his daily duties and chores, to his detriment and loss, and a claim is made therefore.

25. The negligence, gross negligence, carelessness, and recklessness of the Defendants increased the risk that Mr. Hoffee would suffer serious injury and was a substantial factor in causing the damages listed above.

26. As a direct and proximate result of the negligence, gross negligence, carelessness, and recklessness of the Defendants, Mrs. Hoffee has suffered a loss of consortium, and a claim is made therefore.

27. Defendants herein are jointly and severally liable for all damages occasioned to Mr. Hoffee and detailed above.

COUNT I – NEGLIGENT SELECTION AND RETENTION

JOSHUA HOFFEE V. J.W. LOGISTICS OPERATIONS, LLC T/D/B/A J.W.

LOGISTICS, LLC

28. All prior paragraphs are incorporated herein as if set forth fully below.

29. AAC Transportation, LLC, Guillermo Cruz, and Pedro Carcano, at all times herein were acting as agents, ostensible agents, servants, employees, and/or contractors for Defendant J.W. Logistics.

30. Defendant J.W. Logistics acted with negligence, gross negligence, and/or reckless indifference by selecting and retaining AAC Transportation, LLC, Guillermo Cruz, and Pedro Carcano by way of:

- a. Knowing or having reason to know of their inattentiveness, negligence, and/or carelessness;
- b. Knowing or having reason to know of their multiple citations/violations occurring prior to this incident;
- c. Failing to perform periodic inspections/reviews of AAC Transportation, LLC, Pedro Carcano, and Guillermo Cruz to ensure compliance with the rule of the road and commercial vehicle compliance;
- d. Failing to take action after AAC Transportation, LLC received two (2) violations on 04/12/17, Inspection Id: 59497502, and continuing to select/retain AAC Transportation, LLC thereafter;
- e. Failing to take action after AAC Transportation, LLC received two (2) violations on 04/15/17, Inspection Id: 59532268, and continuing to select/retain AAC Transportation, LLC thereafter;
- f. Failing to take action after AAC Transportation, LLC received one (1) violation on 04/21/17, Inspection Id: 59588009, and continuing to select/retain AAC Transportation, LLC thereafter;
- g. Failing to take action after AAC Transportation, LLC received one (1) violation on 05/15/17, Inspection Id: 59815327, and continuing to select/retain AAC Transportation, LLC thereafter;
- h. Failing to take action after AAC Transportation, LLC received two (2) violations on 06/24/17, Inspection Id: 60233874, and continuing to select/retain AAC Transportation, LLC thereafter;

- i. Failing to take action after AAC Transportation, LLC received five (5) violations on 07/14/17, Inspection Id: 60420412, roughly one month prior to the collision at issue, and continuing to select/retain AAC Transportation, LLC thereafter;
- j. Continuing to select/retain AAC Transportation, LLC, Pedro Carcano, and Guillermo Cruz despite their failing to carry vehicle/commercial insurance;
- k. Continuing to select/retain AAC Transportation, LLC, Pedro Carcano, and Guillermo Cruz despite their failing to correct defects of previous inspection reports, multiple times;
- l. Continuing to select/retain AAC Transportation, LLC, Pedro Carcano, and Guillermo Cruz despite their failing to comply with medical certificate requirements, multiple times;
- m. Continuing to select/retain Guillermo Cruz despite him driving a commercial vehicle while disqualified (3rd offense for no medical certificate);
- n. Negligently selecting and retaining Guillermo Cruz, despite the fact that they should have reasonably suspected that Guillermo Cruz or a similarly situated driver would fail to properly regulate the speed of his vehicle so as to prevent a collision;
- o. Negligently selecting and retaining Guillermo Cruz, despite the fact that they should have reasonably suspected that Guillermo Cruz or a similarly situated driver would fail to have sufficient control of his

vehicle, which would have allowed the vehicle to be stopped before causing injury to any person or thing likely to arise under the circumstances;

- p. Negligently selecting and retaining Guillermo Cruz, despite the fact that they should have reasonably suspected that Guillermo Cruz or a similarly situated driver would fail be continuously alert, in failing to perceive any warning of danger that was reasonably likely to exist, and in failing to have his vehicle under such control that injury to persons or property could be avoided.
- q. Negligently selecting and retaining Guillermo Cruz, despite the fact that they should have reasonably suspected that AAC Transportation, LLC, Pedro Carcano, and Guillermo Cruz or a similarly situated driver would violate VC3361 (75 Pa.C.S. § 3361);
- r. Negligently selecting and retaining Guillermo Cruz, despite the fact that they should have reasonably suspected that AAC Transportation, LLC, Pedro Carcano, and Guillermo Cruz or a similarly situated driver would violate VC3310 (75 Pa.C.S. § 3310);
- s. Negligently selecting and retaining Guillermo Cruz, despite the fact that they should have reasonably suspected that AAC Transportation, LLC, Pedro Carcano, and Guillermo Cruz or a similarly situated driver would violate VC3309 (75 Pa.C.S. § 3309);
- t. Negligently selecting and retaining Guillermo Cruz, despite the fact that they should have reasonably suspected that AAC Transportation, LLC,

Pedro Carcano, and Guillermo Cruz or a similarly situated driver would violate VC3714 (75 Pa.C.S. § 3714);

- u. Negligently selecting and retaining Guillermo Cruz, despite the fact that they should have reasonably suspected that AAC Transportation, LLC, Pedro Carcano, and Guillermo Cruz or a similarly situated driver would violate VC3301 (75 Pa.C.S. § 3301);
- v. Negligently selecting and retaining Guillermo Cruz, despite the fact that they should have reasonably suspected that AAC Transportation, LLC, Pedro Carcano, and Guillermo Cruz or a similarly situated driver would violate VC1786F (75 Pa.C.S. § 17869(f));
- w. Negligently selecting and retaining Guillermo Cruz, despite the fact that they should have reasonably suspected that Guillermo Cruz or a similarly situated driver would violate VC3334 (75 Pa.C.S. § 3334);
- x. Negligently selecting and retaining Guillermo Cruz, despite the fact that they should have reasonably suspected that Guillermo Cruz or a similarly situated driver would fail to have/keep a record of duty status/driver's log, in violation of 395.8A (49 CFR § 395.8(a));
- y. Negligently selecting and retaining Guillermo Cruz, despite the fact that they should have reasonably suspected that Guillermo Cruz or a similarly situated driver would fail to have/keep medical certificates, in violation of 391.41A-F (49 CFR § 391.41(a-f));
- z. Negligently selecting and retaining Guillermo Cruz, despite the fact that they should have reasonably suspected that Guillermo Cruz or a

similarly situated driver would fail to correct defects of previous inspection reports, in violation of 396.9D2 (49 CFR § 396.9(d)(2));

aa. Negligently selecting and retaining Guillermo Cruz, despite the fact that they should have reasonably suspected that Guillermo Cruz or a similarly situated driver would violate FMCSA 392.2LC;

bb. Negligently selecting and retaining Guillermo Cruz, despite the fact that they should have reasonably suspected that AAC Transportation, LLC, Pedro Carcano, and Guillermo Cruz or a similarly situated driver would violate FMCSA 392.2R;

cc. Negligently selecting and retaining Guillermo Cruz, despite the fact that they should have reasonably suspected that Guillermo Cruz or a similarly situated driver would fail to maintain and/or provide a driver's license, in violation of FMCSA 392.2DL;

dd. Negligently selecting and retaining Guillermo Cruz, despite the fact that they should have reasonably suspected that Guillermo Cruz or a similarly situated driver was unable to speak English sufficiently to respond to official inquiries, in violation of FMCSA 391.11B2;

ee. Negligently selecting and retaining Guillermo Cruz, despite the fact that they should have reasonably suspected that Guillermo Cruz or a similarly situated driver would operate a vehicle without the required operating authority, in violation of FMCSA 392.9AA1;

ff. Negligently selecting and retaining Guillermo Cruz, despite the fact that they should have reasonably suspected that AAC Transportation, LLC,

Pedro Carcano, and Guillermo Cruz or a similarly situated driver would operate a vehicle with a state insurance violation, in violation of FMCSA 392.2IN;

gg. Negligently selecting and retaining Guillermo Cruz, despite the fact that they should have reasonably suspected that AAC Transportation, LLC, Pedro Carcano, and Guillermo Cruz or a similarly situated driver would operate a vehicle with a tire tread depth less than 2/32 of an inch (1/32), in violation of FMCSA 393.75B;

hh. Negligently selecting and retaining Guillermo Cruz, despite the fact that they should have reasonably suspected that AAC Transportation, LLC, Pedro Carcano, and Guillermo Cruz or a similarly situated driver would operate a vehicle with no or defective lighting devices/reflective material (license plate lamp covered with black paint), in violation of FMCSA 393.11;

ii. Negligently selecting and retaining Guillermo Cruz, despite the fact that they should have reasonably suspected that AAC Transportation, LLC, Pedro Carcano, and Guillermo Cruz or a similarly situated driver would operate a vehicle without markings in accordance with regulations, (unit displayed a MC number not listed with the company), in violation of FMCSA 390.21B;

jj. Negligently selecting and retaining Guillermo Cruz, despite the fact that they should have reasonably suspected that Guillermo Cruz or a similarly situated driver would violate local laws: PA Code 1605

Carcano as their lack of skill, experience, and equipment resulted in inattention and negligence, which Defendant J.W. Logistics knew or should have known of, and which directly caused Mr. Hoffee harm.

WHEREFORE, Plaintiff, Joshua Hoffee, seeks compensatory and punitive damages from Defendant, J.W. Logistics Operations, LLC t/d/b/a J.W. Logistics, LLC, in an amount in excess of the compulsory arbitration limits, exclusive of interest and costs.

COUNT II – LOSS OF CONSORTIUM

SARAH HOFFEE V. J.W. LOGISTICS OPERATIONS, LLC T/D/B/A J.W.

LOGISTICS, LLC

33. All prior paragraphs are incorporated herein as if set forth fully below.

34. By way of the aforesaid injuries sustained by her husband, Mrs. Hoffee has been in the past and will be in the future deprived of the assistance, companionship, consortium and society of her husband, all of which has been and will continue to be to her great detriment and loss, and a claim is made therefore.

35. In addition, Mrs. Hoffee has lost wages and future potential earnings, as she had to alter her career to help take care of Mr. Hoffee after this incident, and a claim is made therefore.

WHEREFORE, Plaintiff, Sarah Hoffee, seeks compensatory and punitive damages from Defendant, J.W. Logistics Operations, LLC t/d/b/a J.W. Logistics, LLC, in an amount in excess of the compulsory arbitration limits, exclusive of interest and costs.

Respectfully submitted,

R. J. MARZELLA & ASSOCIATES, P.C.

BY: 

CHARLES W. MARSAR, JR., ESQUIRE
ID No. 86072

DATED: _____

4/16/19

Exhibit A

AA-500 TX

Incident Number: PA 2017-839549

Commonwealth of Pennsylvania

PAGE 1

Crash Involves:

Police Crash Report

REPORTABLE

☐ DUI ☐ Fatality ☐ Hit and Run ☒ Commercial Vehicle ☐ State Police Vehicle ☐ Local Police Vehicle
☐ N/A ☐ Work Zone ☐ ATV ☐ Snowmobile ☐ Commonwealth Vehicle ☐ Local Gov Vehicle

Police Agency Data	Agency Name PA STATE POLICE - CHAMBERSBURG					Case Closed YES		Patrol Zone H0327		Investigation Date 08/07/2017				
	Dispatch Time 08:29 hrs.		Arrival Time 08:41 hrs.		Investigator FRANTZ, BENJAMIN				Badge Number 10585					
	Approval Date 08/12/2017				Reviewer KNOCK, MATTHEW A				Reviewer Badge Number 10090					
Crash Data	Date of Crash 08/07/2017		Time of Crash 08:29 hrs.		Day of the Week MONDAY		Crash Description HEAD ON							
	County FRANKLIN					Municipality SOUTHAMPTON TWP								
	Weather Conditions RAIN					Relation to Roadway ON TRAVEL LANES								
	Illumination DAYLIGHT					Road Surface Conditions WET								
	# of Units 002	# of People 002	# of Injured 001	# Killed 000	EMS Agency SHIPPENSBURG FIRE/EMS			Medical Facility HOLY SPIRIT MEDICAL CENTER						
	School Bus Related NO		School Zone Related NO		PennDOT Property Damaged NO		Type of Intersection MIDBLOCK		Special Location NOT APPLICABLE					
Work Zone	Work Zone NO		Work Zone Type			Where In Work Zone								
	Speed Limit	Workers Present	Officer Present	Work Zone Characteristics <input type="checkbox"/> Lane Closure <input type="checkbox"/> Road Closed with Detour <input type="checkbox"/> Work on Shoulder or Median <input type="checkbox"/> Intermittent or Moving Work <input type="checkbox"/> Flagger Control <input type="checkbox"/> Other										
Principal Road	Route Signing STATE HIGHWAY				Route Number 0696		Segment Number		Travel Lanes 02		Speed Limit 55 MPH	Orientation SOUTH		
	House Number 8847				Street Name OLDE SCOTLAND				St. Ending ROAD					
Intersecting Rd.	Used in Intersection Crashes		Route Signing				Route Number		Segment Number		Travel Lanes		Speed Limit	Orientation
			Street Name				St. Ending							
Distance From Landmark Used for Mid-Block Crashes	Landmark 1	Route Number		Or Mile Post	Tenths	Delimiting Road Type		Ramp Use Only		Feet				
		Street Name				Street Ending		Or Miles		Tenths				
	Landmark 2	Route Number		Or Mile Post	Tenths	Delimiting Road Type		Ramp Use Only		The above entry is the distance from the Crash Scene to Landmark 1				
		Street Name				Street Ending								
GPS	Latitude:		Degrees 40	Minutes 01	Seconds 27	Decimal 666	Longitude:		Degrees 77	Minutes 31	Seconds 41	Decimal 258		
TCD	Traffic Control Device NOT APPLICABLE						Traffic Control Functioning NO CONTROLS							
	Lane Closed PARTIALLY		Lane Closure Direction SOUTH				Traffic Detoured NO		Estimated Time Closed 1-3 HRS					
Event Information	Environmental / Roadway Potential Factors (E/R)													
	Factor 1 NONE				Factor 2				Factor 3					
	First Harmful Event in the Crash						Most Harmful Event in the Crash							
	Unit Number 001		Harmful Event HIT UNIT 2				Unit Number 001		Harmful Event HIT UNIT 2					
	Indicated Prime Factor DRIVER ACTION				Unit Number 001		Prime Factor Driver Action DRIVING TOO FAST FOR CONDITIONS							
	Prime Factor Environmental/Roadway				Prime Factor Vehicle Failure				Prime Factor Pedestrian Action					
	Road Surface Type						Special Jurisdiction							

AA-500 TX

Incident Number: PA 2017-839549

Commonwealth of Pennsylvania

PAGE 2

Police Crash Report

REPORTABLE

Crash Involves:

☐ DUI ☐ Fatality ☐ Hit and Run ☒ Commercial Vehicle ☐ State Police Vehicle ☐ Local Police Vehicle
☐ N/A ☐ Work Zone ☐ ATV ☐ Snowmobile ☐ Commonwealth Vehicle ☐ Local Gov Vehicle

Unit Number 1	Type Unit Motor Vehicle in Transport	Commercial Vehicle Yes	Primary Violation	Charged
First Name GUILLERMO	MI D	Last Name CRUZ	Suffix	DOB 07/08/1964
Street Address 19 HUMMINGBIRD CT		City BALTIMORE	State MD	Zip Code 21227-3535
Gender MALE	License Number C620291139542	License State MD	Class C	Expiration Date 07/08/2021
Owner/Driver PRIVATE VEHICLE NOT OWNED/LEASED BY DRIVER				
Driver Presence DRIVER OPERATED VEHICLE	Physical Condition APPARENTLY NORMAL	Alcohol/Drugs Suspected NO	Alcohol Test Type TEST NOT GIVEN	Alcohol Test Results
Violation 1 3361 DRIVING VEHICLE AT SAFE SPEED	Charged YES	Violation 2 1788F REQUIRED FINANCIAL RESPONSIBILITY	Charged YES	
Violation 3 3714A CARELESS DRIVING	Charged YES	Violation 4 33091 DRIVING ON ROADWAYS LANED FOR TRAFFIC	Charged YES	
Driver Action DRIVING TOO FAST FOR CONDITIONS				
Pedestrian Action		Pedestrian Signals	Pedestrian Clothing	Pedestrian Location
1st Harmful Event HIT UNIT 2	Left or Right Side	Most Harmful YES	Utility Pole Number	
2nd Harmful Event	Left or Right Side	Most Harmful	Utility Pole Number	
3rd Harmful Event	Left or Right Side	Most Harmful	Utility Pole Number	
4th Harmful Event	Left or Right Side	Most Harmful	Utility Pole Number	

Owner First Name PEDRO	Owner MI C	Owner Last Name or Business Name CARCAMO	Suffix
Street Address 119 CHERRY LN		City GLEN BURNIE	State MD
Zip Code 21060		Vehicle Type LARGE TRUCK	Special Usage NOT APPLICABLE
Model Year 2006	Vehicle Make INTERNATIONAL HARVESTER	Vehicle Model BOX TRUCK	VIN 1HTSCABM2YH294572
License Plate 2CS8374	Reg. State MD	Est. Speed 055	Vehicle Towed YES
Insurance NO		Insurance Company	Policy Number
Direction of Travel NORTH	Vehicle Position RIGHT LANE "CURB"	Vehicle Movement GOING STRAIGHT	Initial Impact Point 12 O'CLOCK
Damage Indicator DISABLING	Gradient LEVEL	Road Alignment STRAIGHT	Possible Vehicle Failures TIRES
# of Units 0	Type Unit 1	Tag Number	Tag Year
Unit Make	Unit Owner		
Type Unit 2	Tag Number	Tag Year	Tag State
Unit Make	Unit Owner		
Engine Size cc	Passenger?	Saddle Bag/Trunk?	Trailer?
Driver Helmet Type	Helmet Stayed On?	DOT/Snell Designation?	Eye Protection?
Passenger Helmet Type	Helmet Stayed On?	DOT/Snell Designation?	Eye Protection?
Passenger?	Helmet?		
Head Lights?	Rear Reflectors?		

AA-500 TX

Incident Number: PA 2017-839549

Commonwealth of Pennsylvania

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Police Crash Report

REPORTABLE

Crash Involves:

☐ DUI ☐ Fatality ☐ Hit and Run ☒ Commercial Vehicle ☐ State Police Vehicle ☐ Local Police Vehicle
☐ N/A ☐ Work Zone ☐ ATV ☐ Snowmobile ☐ Commonwealth Vehicle ☐ Local Gov Vehicle

Driver/Pedestrian Information	Unit Number 2	Type Unit Motor Vehicle in Transport	Commercial Vehicle No	Primary Violation			Charged
	First Name JOSHUA		MI K	Last Name HOFFEE		Suffix	DOB 01/18/1989
	Street Address 14 PARTIDGE TRL		City SHIPPENSBURG			State PA	Zip Code 17257
	Gender MALE	License Number 28433384	License State PA	Class B	Expiration Date 01/19/2021	Owner/Driver PRIVATE VEHICLE OWNED/LEASED BY DRIVER	
	Driver Presence DRIVER OPERATED VEHICLE		Physical Condition APPARENTLY NORMAL		Alcohol/Drugs Suspected NO		Alcohol Test Type TEST NOT GIVEN
	Alcohol Test Results		Violation 1		Charged	Violation 2	Charged
	Violation 3		Charged	Violation 4		Charged	
	Driver Action NO CONTRIBUTING ACTION						
	Pedestrian Action		Pedestrian Signals		Pedestrian Clothing		Pedestrian Location
	1st Harmful Event STRUCK BY UNIT 1		Left or Right Side		Most Harmful YES		Utility Pole Number
2nd Harmful Event		Left or Right Side		Most Harmful		Utility Pole Number	
3rd Harmful Event		Left or Right Side		Most Harmful		Utility Pole Number	
4th Harmful Event		Left or Right Side		Most Harmful		Utility Pole Number	
Vehicle Information	Owner First Name JOSHUA		Owner MI K	Owner Last Name or Business Name HOFFEE			Suffix
	Street Address 14 PARTIDGE TRL		City SHIPPENSBURG			State PA	Zip Code 17257
	Vehicle Type SUV		Special Usage POLICE			Government Equipment Number	
	Model Year 2003	Vehicle Make DODGE	Vehicle Model DURANGO		Vehicle Color OTHER	VIN 1D4HS38N13F553730	
	License Plate FBH0738	Reg. State PA	Est. Speed 055	Vehicle Towed YES	Towed By CDC TOWING		
	Insurance YES	Insurance Company TRAVELERS		Policy Number 9951101222031		Expiration Date 12/23/2017	
	Direction of Travel SOUTH	Vehicle Position RIGHT LANE "CURB"		Vehicle Movement GOING STRAIGHT		Initial Impact Point 12 O'CLOCK	
	Damage Indicator DISABLING	Gradient LEVEL	Road Alignment STRAIGHT		Possible Vehicle Failures NONE		
	# of Units 0	Type Unit 1	Tag Number		Tag Year	Tag State	
	Unit Make		Unit Owner				
	Type Unit 2	Tag Number		Tag Year	Tag State		
	Unit Make		Unit Owner				
	Engine Size cc	Passenger?	Saddle Bag/Trunk?		Trailer?	Driver Education?	
	Driver Helmet Type	Helmet Stayed On?	DOT/Snell Designation?		Eye Protection?	Long Sleeves?	Long Pants?
	Passenger Helmet Type	Helmet Stayed On?	DOT/Snell Designation?		Eye Protection?	Long Sleeves?	Long Pants?
Passenger?		Helmet?					
Head Lights?		Rear Reflectors?					

AA-500 TX

Incident Number: PA 2017-839549

Commonwealth of Pennsylvania

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Crash Involves:

Police Crash Report

REPORTABLE

☐ DUI ☐ Fatality ☐ Hit and Run ☒ Commercial Vehicle ☐ State Police Vehicle ☐ Local Police Vehicle
☐ N/A ☐ Work Zone ☐ ATV ☐ Snowmobile ☐ Commonwealth Vehicle ☐ Local Gov Vehicle

Commercial Vehicle	Unit Number	Number of Axles	Carrier Name	Phone Number
	1	02	AAC TRANSPORT	7178896206
	Street Address		City	State
	119 CHERRY LANE		GLENN BURNIE	MD
	Zip Code		GVWR	
	21060		026000	
	Cargo Body Type	Vehicle Configuration		
VAN / ENCLOSED BOX	MEDIUM / HEAVY TRUCK - CANNOT CLASSIFY			
Oversize Load	USDOT Number	PUC Number	Hazardous Materials	
NO	02946066			
HazMat Class 1	Release Indicator 1			
HazMat Class 2	Release Indicator 2			
HazMat Class 3	Release Indicator 3			
HazMat Class 4	Release Indicator 4			

People Information	Unit #	Person No.	First Name	MI	Last Name	Suffix	DOB
	001	001	GUILLERMO	D	CRUZ		07/08/1964
	Street Address			City		State	Zip Code
	19 HUMMINGBIRD CT			BALTIMORE		MD	21227-3535
	Phone Number	EMS Transport	Person Type	Gender	Injury Severity		
	(443) 979-5478	NO	DRIVER	MALE	NOT INJURED		
	Seat Position	Safety Equipment 1					
DRIVER - ALL VEHICLES	LAP AND SHOULDER BELT USED						
Safety Equipment 2	Extrication						
NONE USED / NOT APPLICABLE	NOT EXTRICATED						
Ejection	Ejection Path						
NOT EJECTED	NOT EJECTED/NOT APPLICABLE						

People Information	Unit #	Person No.	First Name	MI	Last Name	Suffix	DOB
	002	002	JOSHUA	K	HOFFEE		01/18/1989
	Street Address			City		State	Zip Code
	14 PARTRIDGE TRL			SHIPPENSBURG		PA	17257
	Phone Number	EMS Transport	Person Type	Gender	Injury Severity		
	(717) 264-5161	YES	DRIVER	MALE	SUSPECTED SERIOUS INJURY		
	Seat Position	Safety Equipment 1					
DRIVER - ALL VEHICLES	LAP AND SHOULDER BELT USED						
Safety Equipment 2	Extrication						
MULTIPLE AIRBAGS DEPLOYED	NOT EXTRICATED						
Ejection	Ejection Path						
NOT EJECTED	NOT EJECTED/NOT APPLICABLE						

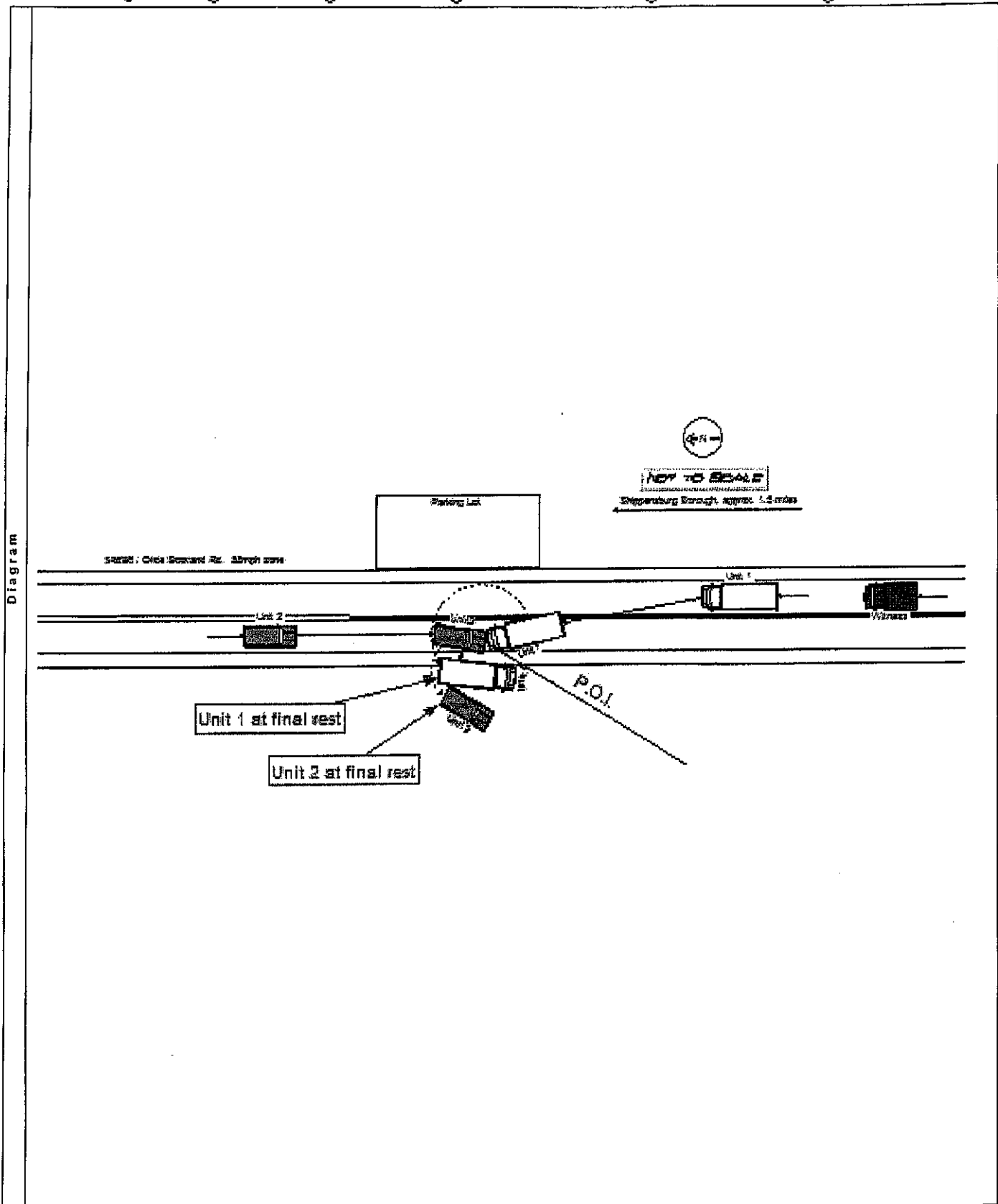
Witness	First Name	MI	Last Name	Suffix	Phone Number
	GUY	I	BROWN		(717) 304-8918
Street Address			City	State	Zip Code
1011 ROXBURY RD			NEWBURG	PA	17240

Property Damaged	Owners First Name	MI	Last Name	Suffix	Phone Number
	CYRUS	C	ULSH		(717) 532-2777
Street Address			City	State	Zip Code
8847 OLDE SCOTLAND RD			SHIPPENSBURG	PA	17257
Property Description					
YARD/TURF DAMAGED					

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REPORTABLE

☐ DUI ☐ Fatality ☐ Hit and Run ☒ Commercial Vehicle ☐ State Police Vehicle ☐ Local Police Vehicle
☐ N/A ☐ Work Zone ☐ ATV ☐ Snowmobile ☐ Commonwealth Vehicle ☐ Local Gov Vehicle



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Incident Number: PA 2017-839549

Commonwealth of Pennsylvania

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Police Crash Report

REPORTABLE

Crash Involves:

☐ DUI☐ Fatality☐ Hit and Run☒ Commercial Vehicle☐ State Police Vehicle☐ Local Police Vehicle

NARRATIVE

☐ N/A☐ Work Zone☐ ATV☐ Snowmobile☐ Commonwealth Vehicle☐ Local Gov Vehicle

Crash Synopsis

This crash occurred as Unit 1 was traveling North on SR696/Olde Scotland Rd. Unit 2 was traveling South on SR696/Olde Scotland Rd. Unit 1 traveled into the oncoming(South) lane of travel to avoid a collision with a vehicle turning right into a parking area. Unit 1 impacted Unit 2 at their 12 o'clock positions, causing severe damage. Unit 1 and Unit 2 came to an uncontrolled final rest facing south in the southbound lane.

Crash Details

This crash occurred as Unit 1 was traveling North on SR696/Olde Scotland Rd. Unit 2 was traveling South on SR696/Olde Scotland Rd. Unit 1 traveled into the oncoming(South) lane of travel to avoid a collision with a vehicle turning right into a parking area. Unit 1 impacted Unit 2 at their 12 o'clock positions, causing severe damage. Unit 1 and Unit 2 came to an uncontrolled final rest facing south in the southbound lane.

Physical evidence at the scene consisted of both Unit 1 and Unit 2 at final rest with disabling/major damage. I observed both airbags of Unit 2 were deployed. The weather was actively raining, and the roadway was wet. I also observed that the tires of Unit 1 had no tread left on the tires. I observed that Operator 2 had an apparent broken right hand/arm. I observed that Operator 1 had no injuries, and denied EMS.

On 08/08/17 at approximately 0840 hours, I spoke to Operator 2 at the scene. Operator 2 related that he was traveling South on SR696/Olde Scotland Road to get on I-81 as he was in route to a trial at the Franklin County Courthouse. Operator 2 related that he observed a vehicle in the opposing lane preparing to turn right into a parking lot. Operator 2 related that he observed Unit 1 traveling north on SR696/Olde Scotland Road at a high rate of speed. Operator 2 related that he observed Unit 1 travel into his lane, at which time he attempted to avoid a collision by turning right into a yard. Operator 2 related that Unit 1 impacted his vehicle head on.

On 08/08/17 at approximately 0850 hours, I spoke to Operator 1 at the scene. Operator 1 related that he was traveling north on SR696/Olde Scotland Road, as he was headed to an unknown destination in Shippensburg for a delivery, as he was transporting multiple pallets of merchandise for the Amazon Company. Operator 1 related that he observed a vehicle turning right, and he knew he could not stop in time. Operator 1 related that he swerved into the oncoming traffic lane and then impacted Unit 2.

On 08/08/17 at approximately 0855 hours I spoke to the Witness at the scene. The Witness related he was behind Unit 1 traveling north on SR696/Olde Scotland Road. The Witness related that he observed Unit 1 travel into the oncoming traffic lane, and strike Unit 2 head on.

I was assisted by MCEO Chad RONK, who completed a full inspection of Unit 1. I was also assisted by Trooper SHAFFRON, Trooper GELVIN, Trooper MCCLEAF, Trooper MARTIN, and Trooper WAREHAM.

SP7-0015 completed and issued at the scene.

Property owner was provided SP7-0015.

Operator 1 cited with the following...

VC3361 - Too Fast for Condition
 VC3310 - Following Too Closely
 VC3309 - Roadways laned for Traffic
 VC3714 - Careless Driving
 VC3301 - Failure to drive on right side of roadway
 VC1786F - No insurance
 VC3334 - Unsafe lane change
 395.8A - No Record of duty status/drivers log
 391.41A-F - No medical certificate
 396.9D2 - Failure to Correct defects of previous inspection report
 392.2LC - Improper lane change

SP 7-0015TX

WWW.PSP.STATE.PA.US

APPLICATION TO OBTAIN COPY OF POLICE CRASH REPORT

PA STATE POLICE - CHAMBERSBURG
7172646161

FOR POLICE USE ONLY
(LEAVE BLANK)

PLEASE DO NOT SUBMIT THIS APPLICATION UNTIL 15 DAYS HAVE ELAPSED SINCE THE DATE OF THE CRASH.

THIS CRASH, WHICH YOU WERE INVOLVED IN, WILL BE INVESTIGATED IN ACCORDANCE WITH SECTION 3746(C) OF THE PENNSYLVANIA VEHICLE CODE BY THE POLICE AGENCY LISTED ABOVE.

PERSONS AUTHORIZED BY SECTION 3751(B) OF THE PENNSYLVANIA VEHICLE CODE, WHO MAY OBTAIN A COPY OF THE POLICE CRASH REPORT, INCLUDE ANY PERSON INVOLVED IN THE CRASH, THEIR ATTORNEY, INSURER, THE FEDERAL GOVERNMENT, BRANCHES OF THE MILITARY SERVICE, COMMONWEALTH AGENCIES, OFFICIALS OF POLITICAL SUBDIVISIONS, OR AGENCIES OF OTHER STATES AND NATIONS AND THEIR POLITICAL SUBDIVISIONS.

THE POLICE CRASH REPORT MAY BE VIEWED OR PHOTOGRAPHED (WITH PERSONAL EQUIPMENT) BY ANY PERSON INVOLVED (NOT WITNESSES), THEIR ATTORNEY, INSURER, AND CERTAIN GOVERNMENT OFFICIALS ONLY AT THE POLICE AGENCY LISTED ABOVE.

DATE OF CRASH 08/07/2017	TIME OF CRASH 08:29	INCIDENT NUMBER PA 2017-839549
COUNTY FRANKLIN	MUNICIPALITY SOUTHAMPTON TWP	
ROUTE # 0696	LOCATION OLDE SCOTLAND	ROUTE SIGNING STATE HIGHWAY

REASON FOR REQUEST:

<input type="checkbox"/> DIRECTLY INVOLVED IN CRASH	YOUR INVOLVEMENT (E.G. DRIVER, OWNER, ETC.)
<input type="checkbox"/> ATTORNEY OR INSURER FOR PERSON INVOLVED IN CRASH	CLIENT'S NAME
<input type="checkbox"/> GOVERNMENT AGENCY OR OFFICIAL	AGENCY AND TITLE
<input type="checkbox"/> OTHER (EXPLAIN):	

REQUESTOR:

NAME	PHONE #
ADDRESS	CITY STATE ZIP CODE
SIGNATURE	

OTHERS INVOLVED IN THE CRASH (E.G. DRIVERS, OWNERS, PEDESTRIANS, PROPERTY OWNERS, ETC.):

NAME	NAME
INVOLVEMENT (ADDRESS IF PROPERTY OWNER)	INVOLVEMENT (ADDRESS IF PROPERTY OWNER)

ENCLOSE CHECK WITH APPLICATION:

PAYABLE TO: COMMONWEALTH OF PENNSYLVANIA	IN THE AMOUNT OF: \$22.00
MAIL TO: PA STATE POLICE: CRASH REPORTS UNIT	
ADDRESS: 1800 ELMERTON AVE.	CITY: HARRISBURG STATE: PA ZIP CODE: 17110

ENTER YOUR COMPLETE NAME, MAILING ADDRESS AND EMAIL ADDRESS WHERE COPY IS TO BE SENT:

NAME	REQUEST COPY VIA EMAIL (IN LIEU OF MAILING) <input type="checkbox"/> COPY WILL BE PROVIDED IN AN ADOBE FORMAT * NOT AVAILABLE FOR CRASHES PRIOR TO 1/2004
ADDRESS	LEGIBLY ENTER YOUR EMAIL ADDRESS
CITY STATE ZIP CODE	

SP 7-0501TX-Driver Exchange
SP 7-0099TX-Non ReportableCommonwealth of Pennsylvania
Driver Notice and Exchange Report

INCIDENT NUMBER PA 2017-839849		PA STATE POLICE - CHAMBERSBURG		(717) 264-5161	
DATE OF CRASH 08/07/2017	TIME OF CRASH 08:29 hrs.	DAY OF WEEK MONDAY	COUNTY FRANKLIN	MUNICIPALITY SOUTHAMPTON TWP	
ROUTE # 0696	SEGMENT #	STREET OLDE SCOTLAND		STREET ENDING ROAD	
PATROL ZONE H0327	INVESTIGATOR \ INVESTIGATOR SIGNATURE FRANTZ, BENJAMIN				BADGE NUMBER 10585
REVIEWER KNOCK, MATTHEW A			REVIEWER BADGE NUMBER 10090	APPROVAL DATE 8/12/2017	
Latitude:	Degrees 40	Minutes 01	Seconds 27	Decimal 656	Longitude: - Degrees 77
Minutes 31					
Seconds 41					
Decimal 258					
Location: 8847 OLDE SCOTLAND RD					
Driver / Vehicle	UNIT # 001	DRIVER'S LAST NAME CRUZ		FIRST NAME GUILLERMO	MI D
	SUFFIX		DOB 07/08/1964	GENDER MALE	PHONE NUMBER (717) 889-6206
	STREET ADDRESS 19 HUMMINGBIRD CT		CITY BALTIMORE		STATE MD
	ZIP CODE 21227-3535		LICENSE NUMBER C620291139542		LICENSE STATE MD
	CLASS C		EXPIRATION DATE 07/08/2021		INSURANCE COMPANY
	POLICY NUMBER		POLICY EXPIRATION DATE		INSURANCE CO. PHONE #
	OWNER'S LAST NAME OR BUSINESS NAME CARCAMO		FIRST NAME PEDRO	MI C	SUFFIX
	STREET ADDRESS 119 CHERRY LN		CITY GLEN BURNIE		STATE MD
	ZIP CODE 21060		VEHICLE YEAR 2000		MAKE INTERNATIONAL HARVESTER
	MODEL BOX TRUCK		VIN 1HTSCABM2YH294572		LICENSE PLATE 2CS8374
STATE MD		VIOLATION (INCLUDING SECTION NUMBER): 3361 DRIVING VEHICLE AT SAFE SPEED		DRIVER CHARGE YES	
Driver / Vehicle	UNIT # 002	DRIVER'S LAST NAME HOFFEE		FIRST NAME JOSHUA	MI K
	SUFFIX		DOB 01/18/1989	GENDER MALE	PHONE NUMBER (717) 264-5161
	STREET ADDRESS 14 PARTRIDGE TRL		CITY SHIPPENSBURG		STATE PA
	ZIP CODE 17257		LICENSE NUMBER 28433384		LICENSE STATE PA
	CLASS B		EXPIRATION DATE 01/19/2021		INSURANCE COMPANY TRAVELERS
	POLICY NUMBER 9851101222031		POLICY EXPIRATION DATE 12/23/2017		INSURANCE CO. PHONE # (800) 252-4633
	OWNER'S LAST NAME OR BUSINESS NAME HOFFEE		FIRST NAME JOSHUA	MI K	SUFFIX
	STREET ADDRESS 14 PARTRIDGE TRL		CITY SHIPPENSBURG		STATE PA
	ZIP CODE 17257		VEHICLE YEAR 2003		MAKE DODGE
	MODEL DURANGO		VIN 1D4HS38N13F553730		LICENSE PLATE FBH0738
STATE PA		VIOLATION (INCLUDING SECTION NUMBER):		DRIVER CHARGE	
Property Damaged	OWNER'S FIRST NAME CYRUS		MI C	LAST NAME ULSH	SUFFIX
	PHONE NUMBER (717) 532-2777		STREET ADDRESS 8847 OLDE SCOTLAND RD		CITY SHIPPENSBURG
	STATE PA		ZIP CODE 17257		PROPERTY DESCRIPTION YARD/TURF DAMAGED
Witness	First Name GUY		MI I	Last Name BROWN	Suffix
	Phone Number (717) 304-8918		Street Address 1011 ROXBURY RD		City NEWBURG
State PA		Zip Code 17240			

Crash Synopsis

This crash occurred as Unit 1 was traveling North on SR696/Olde Scotland Rd. Unit 2 was traveling South on SR696/Olde Scotland Rd. Unit 1 traveled into the oncoming(South) lane of travel to avoid a collision with a vehicle turning right into a parking area. Unit 1 Impacted Unit 2 at their 12 o'clock positions, causing severe

Crash Synopsis

damage. Unit 1 and Unit 2 came to an uncontrolled final rest facing south in the southbound lane.

NOTICE TO COMMERCIAL MOTOR VEHICLE (CMV) DRIVERS: UNDER PENALTY OF A FINE UP TO \$200, PA TITLE 75, §3756 MANDATES THAT COMMERCIAL MOTOR VEHICLE DRIVER'S INVOLVED IN A REPORTABLE CRASH OBTAIN TESTING FOR ALCOHOL AND CONTROLLED SUBSTANCES. COMMERCIAL MOTOR VEHICLE DRIVER'S ARE RESPONSIBLE FOR OBTAINING TESTING, AND THE COSTS ARE TO BE BORNE BY THE DRIVER'S EMPLOYER. THIS SECTION GIVES NO ENTITLEMENT FOR POLICE TO RECEIVE THESE RESULTS, BUT TEST RESULTS CAN BE OBTAINED BY OTHER LEGAL PROCESSES IF WARRANTED.